

2

(SPACE BELOW FOR FILING STAMP ONLY)

WALTER WILHELM LAW GROUP
A Professional Corporation
Riley C. Walter #91839
205 East River Park Circle, Ste. 410
Fresno, CA 93720
Telephone: (559) 435-9800
Facsimile: (559) 435-9868
E-mail: rileywalter@W2LG.com

Chapter 9 Counsel for Tulare Local Healthcare District, Debtor

IN THE UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

In re

CASE NO. 17-13797

**TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE REGIONAL
MEDICAL CENTER**

Chapter 9

Debtor

Date: July 3, 2019

Tax ID #: 94-6002897

Time: 10:00 a.m.

Address: 869 N. Cherry Street
Tulare, CA 93274

Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 13

Judge: Honorable René Lastreto II

**DEBTOR'S OBJECTION TO PROOF OF CLAIM NUMBER 10
FILED BY JIAME CALDERON**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE AND OTHER

PARTIES IN INTEREST:

23 Pursuant to 11 U.S.C. § 502 and FRBP 3007, Tulare Local Healthcare District
24 dba Tulare Regional Medical Center (the “Debtor”) objects to Proof of Claim Number 10
25 (the “Claim”) filed by Jiame Calderon (“Calderon”). This objection is based on the
26 following:

27 1. To the extent the asserted claim filed by Calderon is ultimately allowed by
28 the trial court the claim will be provided for pursuant to the Debtor's malpractice

1 insurance coverage through BETA Risk Management Authority. The claim is not entitled
2 to secured status and is a disputed, unliquidated and contingent claim.

3 2. The Debtor commenced a voluntary bankruptcy petition under Chapter 9
4 of the Bankruptcy Code on September 30, 2017 (the "Petition Date"), in the Eastern
5 District of California.

6 3. The claims bar date was set as April 10, 2018.

7 4. October 16, 2017, Calderon filed Proof of Claim 10 as a secured claim in
8 the total amount of \$1,000,000. This Proof of Claim was filed on account of a pending
9 wrongful death civil suit. A copy of Proof of Claim Number 10 is attached as Exhibit "A".

10 5. The Debtor objects to Calderon's claim on the basis that this claim is not
11 entitled to secured status and will be separately provided for through the Debtor's
12 malpractice insurance carrier, BETA Risk Management Authority if and when determined
13 by the trial court.

14 WHEREFORE, the Debtor respectfully requests that this Objection be sustained
15 and that Proof of Claim Number 10 filed by Claimant be disallowed as to its alleged
16 secured status and seeks such other and further relief as is just and proper.

17 Dated: May 21, 2019

18 WALTER WILHELM LAW GROUP,
a Professional Corporation

19 By: 
20 Riley C. Walter, Attorneys for Debtor,
21 Tulare Local Healthcare District dba Tulare
22 Regional Medical Center

23

24

25

26

27

28